REMARKS

Claim 1 has been amended. Support for the amendments is found in the specification and claims as filed. Accordingly, the amendments do not constitute the addition of new matter.

Claims 2 and 5 have been cancelled without prejudice. As a result, claims 1, 3-4 and 6 remain pending in the present application. Reconsideration of the application in view of the foregoing amendments and following comments is respectfully requested.

Claim Rejection - 35 U.S.C. §102

With respect to Paragraph 3 and 4 of the Office Action, the Office Action rejects claims 1 and 3-6 under 35 U.S.C. §102(b) as being anticipated by Shafer (U.S. 6,147,719). This rejection is traversed. Of the rejected claims, only claim 1 is independent.

Accordingly, applicants respectfully request that the rejection be withdrawn.

> "A claim is anticipated only if **each and every element** as set forth in the claim is found, either expressly or inherently described, **in a single prior art reference.**" *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "**The identical invention must be shown in as complete detail as** is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). (MPEP §2131)

Independent claim 1 of the present application defines a wireless human input device. In this independent claim 1, the wireless human transmitting unit comprises a timer set with different time parameters for generating the leading signals, which have preceding waveform signals with different waveform lengths.

With particular reference to Shafer, the purpose of the prior art is related to a pulse position modulation protocol, and Shafer fails to teach the same timer as set forth in independent claim 1 of the present application. Specifically, Fig. 3 of Shafer shows that the time base 40 is shared by the track ball 34 and the keys 36. That is, Shafer does not disclose that the track ball 34 or the keys 36 has an individual timer set with different time parameter. Furthermore, even if the remote control 32 is considered to be the wireless human transmitting unit, Shafer also fails

to disclose that the timer base 40 of the remote control 32 is set with an individial time parameter different from that of another remote control. On the other hand, the wireless human transmitting unit, defined by independent claim 1 of the present application, has a timer <u>set with different time parameters</u> for generating the leading signals.

In view of the foregoing remarks, it is respectfully submitted that the prior art utilized by the Office Action fails to teach or suggest the timer of independent claim 1 and its dependent claims. Accordingly, reconsideration and withdrawal of this portion of the 35 USC 102 rejections are respectfully requested.

Reconsideration and withdrawal of this rejection is respectfully requested.
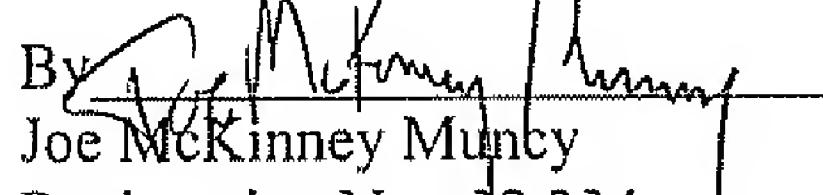
Conclusion

For all of the above reasons, applicants submit that the specification and claims are now in proper form, and that the claims define patatentably over prior arts. Therefore applicants respectfully request issuance for this case at the Office Action's earliest convenience.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Joe McKinney Muncy Reg. No. 32,334 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: August 22, 2007   Respectfully submitted,

By _____
Joe McKinney Muncy
Registration No.: 32,334
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant